IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1030 OF 2006

Nandlal L. Bajaj ...Petitioner.

Versus

State of Maharashtra & Ors. ...Respondents.

Shri Nichani i/b M/s P.V.Nichani & Co.for the Petitioner.

Shri R.M.Patne, A.G.P for State.

CORAM : S.C.DHARMADHIKARI,J.

DATE : 22nd FEBRUARY, 2006.

P.C. :

1. Heard Shri Nichani - learned Counsel appearing for the petitioner, who is original applicant in Revision Application No.211 of 2004.

2. The Divisional Joint Registrar has rightly rejected an application for stay as also the application for revising the order of the Deputy Registrar refusing to recognise the petitioner as having any right, title and interest in the garage independently of the Flat, which he was at one time in possession, in a Co-operative Housing Society. Admittedly, the Flat is disposed of by the petitioner. The contention of the petitioner that he continues to

be a member of the society in respect of the garage is repelled by the society and the society appeared before the Divisional Joint Registrar and produced materials to show that Garage is not a separate unit, but, goes alongwith the Flat as a parking space. In these circumstances, the finding of fact recorded cannot be said to be perverse or vitiated by any error apparent so as to call for interference in Writ jurisdiction. Petition summarily dismissed.

(S.C.DHARMADHIKARI,J.)